

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ramon MERCE VIDAL, et al.

SERIAL NO: 10/566,164

GAU: 1626

FILED: January 16, 2007

EXAMINER: YOUNG, SHAWQUIA

FOR: INDOL-4 SULFONAMIDE DERIVATIVES, THEIR PREPARATION AND THEIR USE
5-HT-6 AS MODULATORS

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Laboratorios del Dr. ESTEVE S.A., is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 020450, frame(s) 0787.

Laboratorios del Dr. ESTEVE S.A., hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of U.S. Patent Nos. 7,414,070 and 7,464,640, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that it and Patent Nos. 7,414,070 and 7,464,640 are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

Laboratorios del Dr. ESTEVE S.A., does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of U.S. Patent Nos. 7,414,070 and 7,464,640 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of common ownership stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
Norman F. Oblon

Daniel J. Pereira, Ph.D.
Registration No. 45,518

02-26-10

Date Signed

Customer Number

22850